



**Cape Codders for Peace and Justice**

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December 27, 2004

Senator Edward Kennedy  
317 Senate Office Building  
Washington, DC 20510

Senator John Kerry  
304 Senate Office Building  
Washington, DC 20510

Representative William Delahunt  
146 Main Street  
Hyannis, MA 02601

Dear Senator Kennedy, Senator Kerry, and Representative Delahunt,

We are writing to ask you to challenge the Electoral College result. The 2004 election process was not worthy of a democratic nation.

The crime of the century is not the theft of the presidency from John Kerry; had there been a free and fair election, he might have lost. The crime of the century is the theft of democracy from the citizens of the United States.

We realize full well that the Republican controlled Congress will re-select the present administration, but an energetic challenge would demonstrate that democracy is not dead in this country. It would demonstrate that the peoples' representatives are willing to stand up for what this nation holds sacred. It might even get some press - especially if a senator stood up.

Reports from Volusia County, Florida, from across Ohio, and from many other places indicate that electoral fraud and interference was rampant<sup>i</sup>. Little may yet be *proven*, but countless stories from Ohio show a clear pattern of pervasive impropriety. What is the proper standard for a vote against certification of the Electoral College result? Proof would be required to send Ohio Secretary of State Kenneth Blackwell to jail, but we believe an appropriate standard for January 6 is a finding of clear evidence of widespread voting misconduct

John Conyers' letter<sup>ii</sup> to Kenneth Blackwell (co-signed by Representative Delahunt) cites many issues, including a study<sup>iii</sup> by UPenn professor Stephen Freeman that found the likelihood of the discrepancy between the exit polls and the election results in PA, OH, and FL occurring by chance to be 1 in 250 million.

Many, like Mr. Blackwell, feel that some irregularities and fraud are acceptable, that the number of votes lost, rigged, stolen and denied is less than the declared victor's margin. But we have no way of knowing how many voters did not vote because of delays, misinformation and intimidation. We do know that electronic voting machines with no audit trail gave suspicious and erroneous results; but we don't know how fraudulent they were. To honor votes cast on such machines is an act of faith in the election officials; but at least in Ohio, there seems to be no reason for faith.

Many people avoided the polls last month, convinced by the fraud in 2000 that this election would be rigged. With 37,000 reports of voting irregularities, many voters are skeptical that they participated in free and fair elections last November 2nd. Once again, we had secretaries of state who were chairs of statewide presidential campaigns. Once again, we had voters improperly removed from voter roles and ballots disappear. Over 300,000 dead people were on the voter roles, and there's evidence that a Florida politician pursued software to rig touch-screen voting machines. Voting machines counted backwards, registered votes for the candidate not chosen, and lost votes. We had precincts with more votes than voters, precincts with far-too-few voting machines, and precincts that locked the doors and 'counted' votes in secret. In Florida, official poll tapes were destroyed, and in Ohio, flyers were distributed telling registered Democrats that their voting day was Wednesday. The 2004 election process was not worthy of a democratic nation.

As you know, the 2000 Electoral College result was challenged by many members of the Congressional Black Caucus because of large-scale disenfranchisement and many other forms of election fraud. On that dark day of January 6, 2001, not one senator rose to support the House challenge. Are we confident that the election result was accurate and fair? No. We implore you to rise in support of fair election process this January 6th.

Sincerely,

David Agnew  
on behalf of Cape Codders for Peace and Justice  
(telephone: 508 432-1718)

cc: Representative Tammy Baldwin	Representative George Miller
Senator Barbara Boxer	Representative Jerrold Nadler
Representative John Conyers	Representative John Olver
Representative Bob Filner	Representative Nancy Pelosi
Representative Barney Frank	Representative Linda Sanchez
Senator Russell Feingold	Representative Bernard Sanders
Representative Rush Holt	Representative Robert Scott
Representative Jessie Jackson, Jr.	Representative Louise Slaughter
Representative Stephanie Tubbs Jones	Representative Maxine Waters
Representative Dennis J. Kucinich	Representative Melvin Watt
Representative Barbara Lee	Representative Henry Waxman
Representative Zoe Lofgren	Representative Robert Wexler
Representative Gregory Meeks	Reverend Jessie Jackson

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<sup>i</sup> Massive interference with the Ohio election <<http://www.freepress.org/departments/display/19/2004/89>>  
Election misconduct in Florida <<http://www.blackboxvoting.org>>

<sup>ii</sup> <[http://www.house.gov/judiciary\\_democrats/ohblackwelltr12204.pdf](http://www.house.gov/judiciary_democrats/ohblackwelltr12204.pdf)>

<sup>iii</sup> The Unexplained Exit Poll Discrepancy <<http://center.grad.upenn.edu/center/get.cgi?item=freemanexitpoll>>